



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/368,259	08/03/1999	NAOTAKA KATO	JA9-98-122	5329

7590 08/28/2002

BRACEWELL & PATTERSON, L.L.P.
Intellectual Property Law
P.O. Box 969
Austin, TX 78767-0969

EXAMINER

WOO, ISAAC M

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 08/28/2002

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/368,259

Applicant(s)

KATO ET AL.

Examiner

Isaac M Woo

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 22 May 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-11 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-11 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____.

DETAILED ACTION

1. This action is in response to Applicant's amendment, filed on May 22. 2002 have been fully considered but they are not persuasive for claims 1-11.
2. The objection to the specification (abstract) has been withdrawn because of the amendment.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-5 and 7-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Shin et al (U.S. Patent No. 6,321,340, hereinafter, "Shin").

In considering claims 1, 8 and 10, Shin discloses the connection unit (200, FIG.1, FIG.2; col. 3, lines 44-52) for use with a computer (100, FIG.1, col. 3, lines 33-43) and connectable to a network (216, 316, FIG.1; col. 3, lines 61-64 and col. 2, lines 14-18), the connection unit comprising:

means, responsive to receipt of a predetermined wake-up packet via the network, for generating a predetermined signal, see (col. 5, lines 41-47 and col. 7, lines 24-28); and

means, responsive to the predetermined signal, for persistently displaying (222, FIG.1, FIG. 2 and FIG. 3) the receipt of the predetermined wake-up packet utilizing a dedicated display, see (col. 5, lines 4-10 and col. 3, line 67 to col. 4, lines 1-3).

In considering claims 2 and 3, Shin discloses that the computer is not connected to connection unit and means, responsive to the receipt of the predetermined wake-up packet, for displaying the non-connection of the computer, see (col. 5, lines 4-19 and col. 3, line 67 to col. 4, lines 1-3).

In considering claim 4, Shin discloses that the predetermined wake-up packet includes an instruction for causing a power supply of the computer to be remotely turned on, see (col. 5, lines 41-47; col. 7, lines 24-28 and col. 4, lines 21-29).

In considering claim 5, Shin discloses that the network is a local area network (LAN), see (216, 316, FIG. 1; col. 3, lines 61-64; col. 6, lines 22-29 and col. 2, lines 14-18).

In considering claim 7, Shin discloses the connection unit comprising means for resetting the means for persistently displaying the receipt of the predetermined wake-up packet, see (252, FIG. 3, and col. 4, lines 51-61).

In considering claim 9, Shin discloses that the terminal apparatus is a portable computer, see (200, FIG. 1 and col. 3, lines 23-26).

In considering claim 11, Shin discloses that a computer system having a computer that changes from a power-save mode or a power-off stat to a normal operation mode due to a plurality of factors (wake-up signal, col. 4, lines 28-29 and col. 5, lines 44-47), the computer system comprising:

means for generating a signal indicating occurrence of a predetermined factor among the plurality of factors, see (ring indicator signal (RI), wake-up signal (RWU), FIG. 3, col. 4, lines 21-29);

means, responsive to the signal indicating the occurrence of the predetermined factor, for persistently displaying the generation of the signal, see (222, FIG. 1, FIG. 2; col. 3, line 67 to col. 4, lines 1-3 and col. 5, lines 4-19);

means for stopping displaying of the displaying means, see (col. 4, lines 1-4); and

means, responsive to a predetermined condition, for resetting the displaying means, see (col. 4, lines 51-61).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al (U.S. Patent No. 6,321,340, hereinafter, "Shin").

In considering claim 6, Although Shin discloses that the displaying means is LED (222, FIG. 1; FIG.2; col. 3, line 67 to col. 4, lines 1-3 and col. 5, lines 4-19), Shin fails to explicitly disclose that the displaying means comprises a liquid crystal display (LCD). However, the LED (light-emitting diode) and LCD (liquid crystal display) are all electronic devices for displaying, commonly used in digital watches, calculators, and

portable computers. Therefore, it would have been obvious to a person having ordinary skill in the art to include the LCD to display the status of the packet transmission into Shin's system, which is also well known displaying devices in electronic areas and merely design choice. Thus, it would have been obvious that the displaying means comprises a liquid crystal display (LCD).

Response to Amendment

6. In response to Applicant's remarks filed on May 22. 2002, the following factual arguments are noted:

a. The wake-up packet is generated on the network via network by a server machine.... the PC system to directly recognize that the WOL packet has arrived (Amendment page 6) which is still not claimed in claim1.

b. Persistently display the receipt of a LAN wake-up signal utilizing a dedicated display for incoming WOL signal.

C. displaying means is ~~LED~~^c

In considering (a), Shin teaches that the computer connecting to a LAN server (abstract) and generate a LAN wake-up signal LWU# in response to magic packet signal MPKT from the LAN server, which means that WOL packet is generated from LAN server (col.5, lines41-46) which is obviously in remote location and transmitted to

computer device (cable manager), (i.e., any type of device that can communicate via network if it has LAN card. PC may be considered network device).

In considering (b), Shin teaches that once LAN wake-up packet signal is arrived at Mac controller that performs splitting data (LWU, Lan wake-up packet) into frames for receiving acknowledgement frames and generating DRx signal for LED. DRx transmits signal to LED (222, FIG.3) to display wakeup packets are arriving (FIG. 3, col. 5, lines 4-5 and col. 5, lines 41-46) for LED. Thus, the system of Shin distinguishes and indicates the incoming WOL signal with LED illuminating. And it may persistently be illuminating. The term used “persistently displaying” by applicant is still too broad. Thus, examiner can broadly interpret the system of Shin as “persistent illuminating (displaying)”.

In considering (c), displaying means $\overset{C}{LED}$ is just design choice and $\overset{C}{LED}$ well known displaying means.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

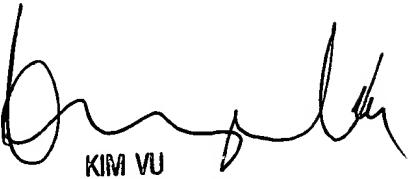
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW
August 12, 2002



KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100